

REMARKS

Examiner interview summary

On October 10, 2007 Applicant's Attorney of record participated in a telephonic interview with Examiner Bhattacharya. Discussion focused on the cited references failing to teach obtaining contact information from wireless telecommunication service provider databases of subscriber information. Examiner Bhattacharya indicated that presented arguments were persuasive and that he would consider an After Final Amendment and also issue an Examiner's Summary indicating that Applicant's arguments were persuasive. Applicant respectfully thanks Examiner Bhattacharya for his time in conducting this interview and for this opportunity to submit a formal paper further presenting Applicant's oral arguments for further review.

Rejection Under 35 USC 103(a)

Claims 36, 37, 39, 41, 42 and 44-46 have been rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,974,300 ("LaPorta et al.") in view of US Patent No. 6,560,456 ("Lohtia et al."). (Because Claims 37 and 39, and claims 42 and 44-46 are dependent upon independent Claims 36 and 41, respectively, they include all limitations of those dependent claims. This response, therefore, addresses the present rejection with regard to independent Claims 36 and 41). More specifically, the Patent Office states the following language on pages 2 and 3 of the present Office Action:

LaPorta fails to disclose wired means in the contact information gathering system for the network station to interface with wireless communications service provider stations, and that the sources of gathering of contact information are wireless telecommunication service provider databases of subscriber information.

However, in an analogous art, Lohtia discloses wired means 320 in the contact information gathering system for the network station to interface with wireless communications service provider stations 309, and that the sources of gathering of contact information are wireless telecommunication service provider databases 14 of subscriber information. See FIGS. 1 and 3, col. 2, lines 57-65, col. 5, lines 6-24, col. 7, lines 43-58 and col. 9, line 55 - col. 10, line 5. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of LaPorta by incorporating these features, as taught by Lohtia, for the purpose of conveniently incorporating the system in an existing wireline environment, such as that in an office or hotel building, and in an existing subscriber based communication system.

Applicant respectfully traverses this rejection and submits that a prima facie case of obviousness has not been established because the applied references fail to teach or suggest

each and every element of the claims. Applicant submits that neither LaPorta et al. nor Lohita et al. discloses or suggests the combination of features recited in the at least independent claims 36 and 41. Applicant also submits that no proper combination of these documents disclose or suggest the combination of features recited in at least the independent claims. In particular, Applicant's independent claims 36 and 41 both teach gathering contact information for wireless telecommunication devices from one or more wireless telecommunications service provider databases of subscriber information. The proposed combination of references fails to teach or suggest this claimed element of Applicant's invention.

First, with regard to LaPorta et al., Applicant agrees with the Examiner's statement that LaPorta fails to teach, "...that the sources of gathering of contact information are wireless telecommunication service provider databases of subscriber information." Applicant, however, disagrees with the Examiner that Lohita et al. cures this deficiency.

Lohita et al. teaches a system and method for providing wireless users with preselected information via SMS messaging. Column 4, lines 22-28, reproduced here for convenience, describe this invention:

The present invention allows wireless users to receive preselected information or services on-demand via SMS or microbrowser messages that are displayed on their wireless telephones. The users may request predefined sets of information or they can request generic information. The wireless subscriber's predefined preferences are maintained on a database as service information profiles.

The invention of Lohita et al. requires a user to establish a service information profile that identifies the type of publicly available information that they would like to receive on demand, such as stock quotations, weather information, personal schedules, user location services, movie theatre preferences, etc. After configuring a service information profile, a user may enter a numeric code on a telephone keypad and thereby trigger the system to push an SMS message containing requested, predefined information back to the user's wireless telephone.

Figure 1 in combination with text at column 4, lines 66-67 and column 5, lines 1-3 and 27-32 provide an example of the invention of Lohita et al.:

The user triggers the on-demand SMS information service by dialing the appropriate, predetermined telephone number on handset 11. For example, the user may dial "1-800-WEATHER" (1-800-932-8437) to request weather information...A called party or destination number corresponding to "800 WEATHER" in this example may indicate that the user is requesting weather information, such as forecasts or observations for either a current location or a preselected location indicated in the user's service information profile.

In another embodiment of Lohita et al. described at column 8, lines 52-54, "...users may configure the system so that selected information is sent to handset 301 at predetermined periods."

In either embodiment, Lohita et al. clearly teaches a process of pushing preselected information to a user according to that user's stored user information profile. Although a user may trigger receipt of information by entering a request code corresponding to that information on a telephone keypad, the publicly available information provided to the user is preselected by the user at an earlier time and during configuration of a user profile. This concept or pre-selecting information generally available to the public precludes a user's selectively requesting specific contact information related to a particular wireless telephone subscriber. Lohita et al. fails to teach or suggest gathering contact information for wireless telecommunication devices from one or more wireless telecommunications service provider databases of subscriber information. In fact, Lohita et al. teaches away from gathering specific subscriber contact information upon request from one or more wireless telecommunications service provider databases containing that private wireless subscriber contact information and instead teaches a system that gathers publicly available information as selected in advance by a user.

The proposed combination of references thus fails to teach or suggest Applicant's invention as taught by independent claims 36 and 41. Applicant respectfully submits that independent claims 36 and 41, therefore, are in condition for allowance, and Applicant respectfully requests that the Examiner reconsider and withdraw the present rejection. Further, because claims 37 and 39 depend from independent claim 36 and include all of the limitations of independent claim 36, and because dependent claims 42 and 44-46 depend from independent claim 41 and include all of the limitations of independent claim 41, Applicant respectfully submits that these dependent claims are also in condition for allowance. Applicant respectfully requests that the Examiner also reconsider and withdraw the rejection of these dependent claims

The Examiner has rejected dependent claims 38 and 43 under 35 USC 103(a) as being unpatentable over LaPorta et al. in view Lohtia et al. and Dreke et al. (U.S. Patent Application Publication 200210035594 A1). Applicant respectfully traverses this rejection. As discussed above, the proposed combination of over LaPorta et al. in view Lohtia et al. fails to teach or suggest Applicant's invention as claimed in independent claims 36 and 41. In particular, the proposed combination of references fails to teach gathering contact information for wireless telecommunication devices from one or more wireless telecommunications service provider databases of subscriber information. Because dependent claims 38 depends from independent claim 36 and includes all of the limitations of independent claim 36, and because dependent

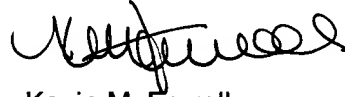
claim 43 depends from independent claim 41 and includes all of the limitations of independent claim 41, Applicant respectfully submits that these dependent claims are also in condition for allowance. Applicant respectfully requests that the Examiner reconsider and withdraw the present rejection.

The Examiner has rejected dependent claims 40 under 35 U.S.C. 103(a) as being unpatentable over LaPorta et al. in view of Lohtia et al. and Thorner et al. (WO 98156158). Applicant respectfully traverses this rejection. As discussed above, the proposed combination of over LaPorta et al. in view Lohtia et al. fails to teach or suggest Applicant's invention as claimed in independent claim 40. In particular, the proposed combination of references fails to teach gathering contact information for wireless telecommunication devices from one or more wireless telecommunications service provider databases of subscriber information. Because dependent claims 40 depends from independent claim 36 and includes all of the limitations of independent claim 36, Applicant respectfully submits that these dependent claims are also in condition for allowance. Applicant respectfully requests that the Examiner reconsider and withdraw the present rejection.

Summary

In light of the above amendment, consideration of the subject patent application is respectfully requested. Any deficiency or overpayment should be charged or credited to Deposit Account No. 500282.

Respectfully submitted,



Kevin M. Farrell
Attorney for Applicants
Registration No. 35,505

October 17, 2007
Pierce Atwood, LLP
One New Hampshire Avenue, Suite 350
Portsmouth, NH 03801
603-433-6300